

REMARKS

This Amendment is submitted preliminary to the issuance of an Office Action in the present application and in response to the Official Action of May 11, 2009.

Record is also made of a telephone interview between applicant's representative and the Examiner which took place on August 4, 2009. The Examiner is thanked for his help and assistance as well as for the courtesies extended to Counsel at that time. During the course of the interview, the present application was extensively discussed in light of the final rejection of sole independent claim 18 which stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 6,975,055 to Joong et al. in view of WO 00/62400 to Felici et al.

The Examiner agreed that claim 18 appears to be distinguishable over the prior art of record, provided claim 18 is amended to more clearly set forth the tooth coils and the presence of a direct drive to operate the wheel set. As a result of the interview, applicant now submits amendments to claim 18 which are drawn up in accordance with the discussion at the interview.

The Examiner also noted that an updated search is needed to make a final determination about patentability of independent claim 18, now on file.

Claims 13, 16-18, which depend from claim 18 and therefore contain all the limitations thereof, patentably distinguish over the applied prior art in the same manner as claim 18.

In view of the above, each of the presently pending claims in this application is considered patentably differentiated over the prior art of record and believed to be in immediate conditions for allowance. Reconsideration and allowance of the present application are thus respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be

helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

By: _____



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